

8-16-01

EL 465780227

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Practitioner's Docket No. MI22-1663

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

The application of: Moore, Scott E.; Meikle, Scott G.; and Crum, Magdel

Application No.: 09/814,260

Group No.: 3723

Filed: 03/21/2001

Examiner: Unknown

For: Semiconductor Workpiece Processing Methods, a Method of Preparing Semiconductor Workpiece Process Fluid, and a Method of Delivering Semiconductor Workpiece Process Fluid to a Semiconductor Processor

Assistant Commissioner for Patents
Washington, D.C. 20231

SEP 4 2001
U.S. PATENT OFFICE

PETITION TO ESTABLISH PRIOR RECEIPT IN THE P.T.O.
OF ITEM CONSIDERED AS OMITTED BY THE
P.T.O.--RESPONSE TO "NOTICE OF OMITTED ITEMS"

1. This is in response to the "NOTICE OF OMITTED ITEMS" mailed for this application on June 6, 2001. A copy of the "NOTICE OF OMITTED ITEMS" is enclosed.

CERTIFICATION UNDER 37 C.F.R. SECTION 1.10*

(Express Mail label number is **mandatory**.)
(Express Mail certification is optional.)

I hereby certify that this "Petition to Establish Prior Receipt in the P.T.O. of Item Considered as Omitted by the P.T.O.--Response to "Notice of Omitted Items" and the documents referred to as attached therein are being deposited with the United States Postal Service on this date August 6, 2001, in an envelope as "Express Mail Post Office to Addressee," mailing Label Number EL465780227US, addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

08/13/2001 AZERGAW1 00000029 09814260

01 FC:122 130.00 DP

Debbie West

(type or print name of person mailing paper)

Debbie West

Signature of person mailing paper

WARNING: Certificate of mailing (first class) or facsimile transmission procedures of 37 C.F.R. Section 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.

***WARNING:** Each paper or fee filed by "Express Mail" **must** have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. Section 1.10(b).
"Since the filing of correspondence under Section 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will **not** be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

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(Petition to Establish Prior Receipt in the PTO of Item(s) Considered as Omitted by the PTO--Response to "Notice of Omitted Items"--page 1 of 3)

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2. Applicant asserts that the item indicated as omitted was in fact deposited with the P.T.O. with the original application papers filed on March 21, 2001.

3. In accordance with the requirements of the Notice of June 5, 1996, 61 Fed. Reg. 30,041-30,046, applicant hereby:

- A. Petitions under 37 C.F.R. Section 1.53(e) for a review of the determination that the item in issue was omitted.
- B. Submits the petition fee under 37 C.F.R. Section 1.17(h).
- C. Submits the attached evidence of the deposit of the item in issue.

4. Fee Payment

This is a **nonprovisional** application.

The petition fee, 37 C.F.R. Section 1.17(h), is paid as follows:

A check is attached in the sum of \$ 130.00.

Please charge Account No. 23-0925 for any fee deficiency for this petition.

5. Request for Refund

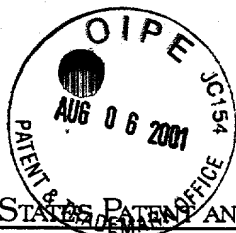
It is respectfully requested that, upon grant of the petition under 37 C.F.R. Section 1.53(e), the petition fee be refunded by deposit to Account No. 23-0925.

Date: 8-6-01



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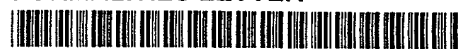
APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/814,260	03/21/2001	Scott E. Moore	MI22-1663

CONFIRMATION NO. 6202

021567

WELLS ST JOHN ROBERTS GREGORY AND MATKIN
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SPOKANE, WA 992013828

FORMALITIES LETTER



OC00000006151215

Date Mailed: 06/06/2001

NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Figure(s) 29 described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.


III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution

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of the application.

A copy of this notice MUST be returned with the reply.



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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